



General Assembly

January Session, 2007

**Committee Bill No. 157**

LCO No. 5511

\*05511SB00157GL\_\*

Referred to Committee on General Law

Introduced by:  
(GL)

**AN ACT PROHIBITING "ROBO" CALLS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) As used in sections 1 to 5,  
2 inclusive, of this act:

3 (1) "Automatic dialing-announcing device" means a device that  
4 selects and dials telephone numbers and, working alone or in  
5 conjunction with other equipment, disseminates a prerecorded or  
6 synthesized voice message to the telephone number called.

7 (2) "Caller" means a person, corporation, firm, partnership,  
8 association, or legal or commercial entity that attempts to contact, or  
9 who contacts, a subscriber in this state by using a telephone or a  
10 telephone line.

11 (3) "Subscriber" means a person who subscribes to telephone service  
12 from a telephone company or any other persons living or residing with  
13 the subscribing person.

14 (4) "Message" means any telephone call, regardless of its content.

15       Sec. 2. (NEW) (*Effective October 1, 2007*) No caller shall use or  
16 connect to a telephone line an automatic dialing-announcing device  
17 unless: (1) The subscriber knowingly or voluntarily requested,  
18 consented to, permitted or authorized receipt of the message; or (2) the  
19 message is immediately preceded by a live operator who obtains the  
20 subscriber's consent before the message is delivered. The provisions of  
21 this section shall not apply to: (A) Messages from school districts to  
22 students, parents or employees, (B) messages to subscribers with  
23 whom the caller has a current business or personal relationship, or (C)  
24 messages advising employees of work schedules.

25       Sec. 3. (NEW) (*Effective October 1, 2007*) No caller shall use an  
26 automatic dialing-announcing device unless the device is designed  
27 and operated to disconnect not later than ten seconds after termination  
28 of the telephone call by the subscriber.

29       Sec. 4. (NEW) (*Effective October 1, 2007*) Any time a message from an  
30 automatic dialing-announcing device is immediately preceded by a  
31 live operator pursuant to section 2 of this act, the operator shall, at the  
32 beginning of the message, disclose: (1) The name of the business, firm,  
33 organization, association, partnership or entity for which the message  
34 is being made; and (2) the purpose of the message.

35       Sec. 5. (NEW) (*Effective October 1, 2007*) No caller shall use an  
36 automatic dialing-announcing device earlier than nine o'clock a.m. or  
37 later than nine o'clock p.m. The provisions of this section shall not be  
38 construed to apply to (1) messages from school districts to students,  
39 parents or employees, (2) messages to subscribers with whom the  
40 caller has a current business or personal relationship, or (3) messages  
41 advising employees of work schedules.

42       Sec. 6. (NEW) (*Effective October 1, 2007*) Any person who receives a  
43 telephone call in violation of sections 1 to 5, inclusive, of this act may  
44 bring an action in Superior Court to recover actual damages or  
45 statutory damages of two thousand dollars, whichever is greater, plus  
46 costs and reasonable attorneys' fees. In addition, the court may order

47 injunctive or equitable relief. For purposes of this section, each  
 48 telephone call received in violation of said sections shall constitute a  
 49 separate and distinct violation.

50 Sec. 7. (NEW) (*Effective October 1, 2007*) (a) The Attorney General  
 51 may issue subpoenas or interrogatories requiring production of  
 52 evidence or testimony concerning a violation of sections 1 to 5,  
 53 inclusive, of this act. The Attorney General may apply to the Superior  
 54 Court to enforce any subpoena or interrogatories issued pursuant to  
 55 this subsection.

56 (b) The Attorney General may file a civil action in Superior Court to  
 57 enforce the provisions of this section and to enjoin further violations of  
 58 sections 1 to 5, inclusive, of this act. The Attorney General may recover  
 59 actual damages or statutory damages of twenty-five thousand dollars,  
 60 whichever is greater, for each violation of sections 1 to 5, inclusive, of  
 61 this act. For purposes of this section, each telephone call received in  
 62 violation of sections 1 to 5, inclusive, of this act shall constitute a  
 63 separate and distinct violation.

64 Sec. 8. Section 16-256e of the general statutes is repealed. (*Effective*  
 65 *October 1, 2007*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	New section
Sec. 3	<i>October 1, 2007</i>	New section
Sec. 4	<i>October 1, 2007</i>	New section
Sec. 5	<i>October 1, 2007</i>	New section
Sec. 6	<i>October 1, 2007</i>	New section
Sec. 7	<i>October 1, 2007</i>	New section
Sec. 8	<i>October 1, 2007</i>	Repealer section

**Statement of Purpose:**

To ban automatic prerecorded telephone messages, subject to certain exceptions.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. COLAPIETRO, 31st Dist.; SEN. FINCH, 22nd Dist.  
REP. HAMZY, 78th Dist.

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